

09/692,402

467X-1CA

**REMARKS**

Claims 23-30 are currently pending in the subject application and are presently under consideration. Applicants' representative thanks the Examiner for the courtesies extended during the telephone conference of May 21, 2003. During the conference, the below-noted deficiencies of the cited art were discussed. The Examiner indicated that an obviousness-type double patent rejection should have been issued rather than a rejection based on 35 U.S.C. § 102(e). As such, applicants' representative submits herewith a terminal disclaimer in anticipation of such rejection. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

**I. Rejection of Claims 23-30 Under 35 U.S.C. § 102(e)**

Claims 23-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Tracey *et al.* (US Patent No. 5,979,757). It is submitted that this rejection should be withdrawn for at least the following reasons. Tracey *et al.* is a parent patent to the subject invention, to which priority is claimed. The subject application is a continuation of US Patent No. 6,199,753, which is a divisional of Tracey *et al.* (US Patent No. 5,979,757). Thus, Tracey *et al.* is not valid prior art. Withdrawal of the rejection and allowance of claims 23-30 are respectfully requested.

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CONCLUSION


The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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